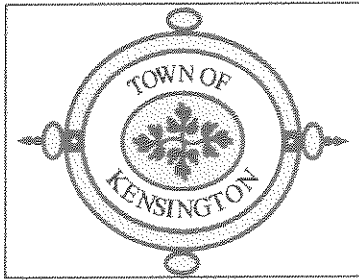


OCTOBER 2009



# THE TOWN OF KENSINGTON'S **AROUND TOWN JOURNAL**

3710 Mitchell Street, Kensington, Maryland \* 301-949-2424 \* Fax: 301-949-4925 \* WWW.TOK.MD.GOV

## **UPCOMING EVENTS & MEETINGS**

### **Town Picnic**

Sun., Oct. 18th 1:00~4:00

### **Town Council Meeting**

Mon., Oct. 26th 7 pm

### **M-NCPPC Fred Boyd Office Hours**

Wed., Oct. 21st 6:30~8:00

### **FOOD DRIVE**

Sat., Oct. 24th 9:00~12:00

### **Town Trick-or-Treat**

Sat., Oct. 31st 6:00~8:00

### **Town Council Meeting**

Mon., Nov. 11th 7 pm

## **Kensington's Annual Town Picnic**

The Town of Kensington would like to invite you to the annual Town Picnic on Sunday, October 18 from the hours of 1~4 pm at St. Paul Park.

The festivities include: A small pumpkin patch, music, along with fun and games for the whole family! The Kensington Volunteer Fire Department will also be giving tours of a few of their fire engines.

The Town asks that you bring a pot luck snack for 8 people and we will provide the water, soda, cider and beer. We will also provide apples from Hawkins Market.



## **Leaf Pick Up Information**

The Town of Kensington will begin its annual vacuum collection of leaves and be will working in three areas of Town beginning the week of October 26.

Please have leaves ready prior to Monday of your respective starting dates. **Monday brush collections will stop through leaf collection season then resume December 21, 2009.**

**AREA 1** will begin Monday, October 26, on the north side of Town – north of the railroad tracks and east of Connecticut Avenue.

**AREA 2** will begin on the south side on Monday, November 2, consisting of residents south of the railroad tracks and east of Connecticut Avenue.

**AREA 3** will begin on the west side, consisting of residences west of Connecticut Avenue on Monday, November 9.

The Town will repeat the vacuum collection in the same order on the weeks of November 16<sup>th</sup>, 23<sup>rd</sup> and 30<sup>th</sup>. Please rake your leaves into piles on the grass or behind the curb.

*(Information continued on Page 7)*

## Town Meeting Minutes

**September 29, 2009.**

**Closed Session, 6:45 p.m.**

Mayor Fosselman, Council Member Barch, Donatelli (arrived at 6:48 p.m.), McMullen, and Thompson, Town Attorney Suellen Ferguson, Town Manager Sanford Daily, and Assistant to the Town Manager Matthew Hoffman were present.

Council Member Thompson moved to close the meeting at 6:45 p.m. to consult with the Town Attorney on legal issues relating to speed cameras and Reinhardt Park. The motion passed 3 to 0. No actions were taken.

**Town Meeting, 7:35 p.m.**

Mayor Fosselman, Council Members Barch, McMullen, and Thompson, Town Manager Sanford Daily, Clerk-Treasurer Susan Engels, Assistant to the Town Manager Matt Hoffman, and Town Attorney Suellen Ferguson were present. Council Member Donatelli was necessarily absent. The Pledge of Allegiance was recited and a moment of silence observed.

The Mayor reported he held the first Listening Tour, testified on Sept. 10 at Park and Planning for the Town's Sector Plan, attended a reception for Delegate Al Carr on Sept. 15, attended an event for Delegate Brian Feldman on Sept. 16, attended the Smart Growth Task Force, spoke on the new CR Zone, attended, along with Council Member Thompson, the annual Volunteer Fire Department Awards Dinner, led the MML Meeting, had a meeting with Safeway representatives to discuss ongoing issues, noted the next Listening Tour would be on October 7, and met with Franke Architects regarding intersection work on Montgomery Avenue.

Council Member Barch noted he was working with the County to obtain funding to move the wall back on Howard Avenue and he is interested in obtaining a new survey of the wall.

The resolution authorizing the Mayor and Council to execute a Memorandum of Understanding between Montgomery County, Town of Chevy Chase View and the Town of Kensington on the use of speed cameras on Connecticut Avenue was discussed. Residents commented in favor of the speed cameras, questioned how the speed cameras would slow traffic on other parts of Connecticut Avenue, and questioned the current speed limit on Connecticut Avenue.

The resolution clarifying the Town's position in a prior resolution endorsing the Kensington Sector plan was discussed. The height requirement was changed necessitating approval from the Town Council from six stories to 50 feet. Stronger language was added to emphasize the Town desiring to maintain its single school cluster status in the Walter Johnson School Cluster. The Town Manager will obtain clarification on whether an area annexed would automatically be included in the same school cluster as the Town. Residents, business owners commented, requested clarification on the height restriction, noted the Antique Row area was too high, and suggested guidelines be established for future councils in approving development over 50 feet. The Mayor noted MNCPPC is working on design guidelines and properties higher than 50 feet would require Council approval.

The Mayor and Council discussed the resolution restricting the use of Reinhardt Park from 9 a.m. to 4 p.m. Monday through Friday except Holidays. The Mayor noted the resolution was necessary due to the heavy use by the private school resulting in additional maintenance and to allow younger children to have access to the playground. Residents commented and complained about the use of the Park by the students at the Brookewood School. Joseph McPherson, Headmaster of the Brookewood School, was present and felt the restriction of the park was not necessary. The Mayor noted the Town had offered to allow use of the park with a memorandum of understanding twice, but never received a response and it may no longer be an option.

A resident questioned whether design guidelines had been established for commercial signs and whether sandwich boards were being considered. The Town Attorney noted the sign ordinance could only be more restrictive than the County Sign Ordinance and the Mayor noted that the sign ordinance would be explored for revisions in the coming months.

The Town Manager noted proposals were received for Frederick Avenue repaving and he will be requesting the three low bidders to keep their prices fixed until revenue is evaluated. The Mayor inquired about and the Town Manager responded that WSSC repaired the area they were responsible for on Frederick Avenue and repairs for safety issues will continue to be made. The Mayor noted part of the delay of repaving Frederick Avenue came because residents disagreed on what and how the project should be done.

The Town Manager noted a Request for Proposal for renovations to the 1<sup>st</sup> floor bathrooms would be advertised and he would check with the Town's recycle company to see if they accept the new materials the County is recycling.

The Traffic Committee will meet on October 8<sup>th</sup> and October 15<sup>th</sup>.

The Assistant to the Town Manager is requesting Town Logo License plates from the MVA.

### **Council Actions**

Council Member McMullen moved to approve Resolution No. R-2009-13 authorizing the Mayor to execute a Memorandum of Understanding between Montgomery County, the Town of Chevy Chase View, and the Town of Kensington concerning Speed Monitoring Systems on Connecticut Avenue. The motion passed 3 to 0. Council Member Donatelli was necessarily absent.

Council Member Thompson moved to approve Resolution R-2009-14 clarifying the Town's position stated in Resolution No. R-2009-10 endorsing the Proposed Kensington Sector Plan

before the Montgomery County Board of the Maryland National Capital Park & Planning Commission. Clarification was for the height limit requiring Council approval for any building project exceeding 50' in height and opposing any references in the Sector Plan which would change the single school cluster. The motion passed 3 to 0. Council Member Donatelli was necessarily absent.

Council Member Barch moved to approve Resolution R-2009-15 restricting the use of Reinhardt Park from 9 a.m. to 4 p.m., Monday through Fridays, except Holidays, without permit. The motion passed 3 to 0. Council Member Donatelli was necessarily absent.

Council Member McMullen moved to adjourn the meeting at 9:00 p.m. The motion passed 3 to 0. Council Member Donatelli was necessarily absent.

### **September 14, 2009**

#### **Town Meeting, 7:08 p.m.**

Mayor Fosselman, Council Members Donatelli, McMullen, and Thompson, Town Manager Sanford Daily, Clerk-Treasurer Susan Engels, and Assistant to the Town Manager Matt Hoffman were present. Council Member Barch was necessarily absent. The Pledge of Allegiance was recited and a moment of silence observed.

The Mayor welcomed Matt Hoffman, the Assistant to the Town Manager and he thanked Kara Sherrill and Lisa Kelley-Connor for their work on the Labor Day Parade.

Brenda Sandberg along with staff from MNCPPC and representatives from Bell Architects gave a presentation on the draft concept plans for Warner Circle. Julie Mueller from the Cultural Resources Section was present; she will be taking over management of the project. The draft plans will be presented on September 24<sup>th</sup> to the Planning Board for their input and guidance.

The Memorandum of Understanding with Montgomery County and Chevy Chase View for speed cameras on Connecticut Avenue was discussed. Jana Coe, Town Administrator from Chevy Chase View, was also present for discussion. The Council expressed concerns over termination language, clarification on the use of the funds, how often funds would be received, placement of temporary units, and the boundaries involved in the agreement. The Mayor noted a Town meeting may need to be held before the next scheduled meeting on October 12<sup>th</sup> to discuss the final MOU which hasn't yet been received.

A resolution to adopt a Dept Policy as required by the State was discussed.

Council Member McMullen reported he will be attending a vendor forum on LED lighting on October 20<sup>th</sup>; expressed concern over the loss of Highway User Revenue which the revenue from the speed cameras may offset.

The Town Manager noted settlement between Konterra and the County would not take place until February.

Installing bollards or an island was discussed to prevent Safeway's trucks from backing up into the garage on Armory Avenue. Council Member McMullen also suggested citations for violations from their permit; the Town Manager will explore this.

There will be Traffic Committee Meetings on both October 8<sup>th</sup> and October 15<sup>th</sup>.

The Town manager noted the pothole on Frederick Avenue has been repaired by WSSC. Proposals for repair and paving on Frederick Avenue have been requested.

### **Council Actions**

Council Member Thompson moved to approve the minutes from August 10, 2009 as amended with the spelling correction from "hire" to "higher". The motion passed 3 to 0. Council Member Barch was necessarily absent.

Council member Donatelli moved to approve the minutes from the Town Meeting on September 8, 2009. The motion passed 3 to 0. Council Member Barch was necessarily absent.

Council Member Thompson moved to approve Resolution No. R-2009-12 adopting a Debt Policy pursuant to Chapter 693 of the laws of Maryland enacted by the General Assembly during the 2009 Legislative Session. The motion passed 3 to 0. Council Member Barch was necessarily absent.

Council Member McMullen moved to adjourn the meeting at 9:00 p.m. The motion passed 3 to 0. Council Member Barch was necessarily absent.

### **September 8, 2009**

#### **Informal Meeting of Mayor and Council**

**5:30 p.m.**

Mayor Fosselman, Council Members Donatelli, McMullen, and Thompson, and Town Manager Sanford Daily were present.

The Mayor and Council reviewed materials to be discussed at the Joint Planning Board and Town Council Work Session on September 10<sup>th</sup>. The meeting was open to the public and no public comment was taken. The meeting adjourned at 6:50 p.m.

### **August 10, 2009**

#### **Town Meeting, 7:15 p.m.**

Mayor Fosselman, Council Members Barch, Donatelli, McMullen, and Thompson, Town Attorney, Suellen Ferguson, Town Manager Sanford Daily, Code Enforcement Officer Louise Hamilton, and Clerk-Treasurer Susan Engels were present. The Mayor's Assistant Claudia Donnelly was necessarily absent. The Pledge of Allegiance was recited and a moment of silence observed for Francoise Henderson and Blanche Keller.

The Mayor reminded residents of the photo contest, care of sidewalks includes weed removal, parking decals are needed for parking

on residential streets with parking signs, yard sale signs are illegal to be posted on utility poles or Town sign poles, noted new rules for the Montgomery Avenue Town kiosk; he thanked Rudy and Suly Uberman for the donation of an antique gold and green desk; noted Claudia will be leaving to take a position with University of Maryland Graduate program and the Town would be hiring an assistant to the Town Manager; he was elected Vice President of Montgomery County MML; participated in July 9<sup>th</sup> Planning Board Hearing on the Sector Plan; attended an event for re-election of Rockville's Mayor Hoffman; attended a luncheon for retiring Planning Board Member John Robinson; held the first Historic District Expansion Committee meeting; attended BRAC committee; testified on Smart Growth Initiative on behalf of the County Executive; attended a business meeting hosted by County Council Member Valerie Ervin; held a short Town Meeting on July 29<sup>th</sup> to pass a resolution endorsing the Sector Plan and a closed session on the Sign Ordinance; attended a joint Work Session with the Planning Board; attended Rockville's Capital for a Day; met with SHA representatives and Delegate Al Carr to discuss traffic and pedestrian issues for Summit, Connecticut and Knowles; had lunch with Lt. Governor Brown; and noted Dr. Kelly's permit was approved and thanked him for financing the new Baltimore Avenue sidewalk.

The businesses chosen to be featured in the next newsletter were Grant Antiques, Artistic Design Build, and Meineke Care Center.

The Council reported on meetings attended and noted they were working on researching LED lighting; reviewing the charter and code for changes; expansion of the Farmers' Market; enforcing maintenance and truck delivery restrictions at Safeway; stopping work at Kensington Cabin until it is re-evaluated and has public input; applying for grants from the County to move the wall back on Howard Avenue; approval for Maryland vineyards to sell products at the Farmers' Market; pursuing pedestrian

connectivity with Planning Chair Dr. Hanson and researching a pedestrian right of way underneath Connecticut Avenue.

Council Member Barch noted he was opposed to Dr. Kelly's plans for his new office and suggested residents send letters to him encouraging the use of upgraded materials.

The Mayor thanked Steve Murray for donating to the Town old Water and Sewer Bonds, bought by the Town in 1916, and insignia from a Police Officer's uniform, from the 1920's.

It was noted the Town is using Community Support Services, Inc., a group that creates jobs opportunities for adults with developmental disabilities, for work at the Town Hall and around Town.

The Town Attorney explained the cable franchise petition by Comcast and the County's position.

The Code Enforcement Officer gave a report on violations, noted some large trees that needed to be removed due to disease, and reported on status of removal of storage trailers on Dietrick Avenue.

A Public Hearing was held on the amendments to the Town Sign Ordinance to change the title of the Chapter and Article I, clarify the Chapter incorporates Chapter 59, Article 59-F of the Montgomery County Code, regulate commercial signs, allow permit fees to be adopted by resolution and to make certain clarifying changes. The Town Attorney explained the changes to the ordinance and discussed the period of time for compliance of signs along with the amortization period for signs. Residents and business owners commented on the Ordinance. The Mayor and Council discussed the amendments and noted suggestions to be added to the Ordinance at a later date including allowing certain types of sandwich signs, not allowing pole signs, and design guidelines as well as approval by the Council for all signs.

Residents expressed concern over the July 29<sup>th</sup> resolution presented to the Planning Board



endorsing six story heights and stated this was not their intentions. The Mayor stated originally he had submitted 4 or 5 stories and there was a compromise by the Planning Board Staff to six stories. Council Member McMullen stated the purpose of the Resolution was to generally support the Draft Sector Plan and to state any changes in height would not exceed six stories, which does not mean six stories will be allowed throughout Town; design guidelines and parameters still need to be defined. The Mayor noted he is representing what the majority of Residents want and he wants to preserve the charm and uniqueness of the Town (Kensington already has existing buildings higher than 6 stories in the same area of Town).

The Town Manager noted a RFP was prepared for marketing and public relations and two proposals were received. The Council discussed the lower bid from Maier Warner and noted hourly rates vs. monthly may or may not work better; the need for monthly progress reporting; communication with the Revitalization Committee; and noted the contract could be terminated with proper notice.

### **Council Actions**

Council Member Barch moved to approve the minutes from June 22, 2009. The motion passed unanimously.

Council Member Donatelli moved to approve the minutes from July 6, 2009. The motion passed unanimously.

Council Member Thompson moved to approve the minutes from July 29, 2009. The motion passed unanimously.

Council Member Barch moved to have the Mayor sign the letter being sent by other municipalities to Governor O'Malley opposing use of the capital crescent trail for the purple line light rail. The motion passed unanimously.

Council Member Thompson approved the resolution to join with Montgomery County and other municipalities to allow Montgomery County to protect the right to regulate basic cable rates. The motion passed unanimously.

Council Member Barch moved to close the Public Hearing on the sign ordinance at 9:06 p.m. The motion passed unanimously.

Council Member Thompson moved to approve Ordinance #02-2009 amending Chapter VI "Commercial Regulations", Article I "Advertising" as presented with no changes. The motion was withdrawn. Council Member Thompson moved to approve Ordinance #02-2009 amending Chapter VI "Commercial Regulations", Article I "Advertising" with the wording in Section 6-104 (g) changed from three years to five years based on the Mayor's concurrence with the Town

Attorney's advice (first time the Mayor has had to cast a tie breaking vote). The motion passed unanimously.

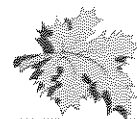
Council Member Thompson moved to approve Ordinance #02-2009 as stated in the prior motion as emergency legislation effective immediately. The motion passed unanimously.

Council Member Thompson moved to approve Resolution #2009-11 authorizing a contract with Maier Warner to continue their services at \$3,500 per month through fiscal year 2009-2010 and adding to the contract requirement of monthly reporting and coordination with the Revitalization Committee. The motion passed unanimously.

Council Member Barch moved to adjourn the meeting at 10:10 p.m. The motion passed unanimously.



**ENJOY YOUR AUTUMN**



## Who's Here In Town? Get to know your business neighbors

**Pritchard's Antiques:** located at 3748 Howard Avenue, has been serving the Kensington area for nearly 30 years. While Pritchard's offers a vast array of new and antique furniture, art tiles and gifts, they specialize in antique and new lighting fixtures. Pritchard's aim is to seek out the unusual and hard to find, while offering these treasures at a reasonable price. 301.942.1661

**Modern Body Shop, Inc.:** located at 3844 Dupont Avenue, has been in operation since 1967 but joined the Kensington community in 1979. Owners Anne and Bob have the expertise to fix all of your vehicles body and paint needs for any reason. Modern Body has even had the luxury of dusting up the areas emergency response vehicles after mishaps. Anne and Bob can be reached at 301.946.8026.

### PERMITS

Alteration at 3838 Howard Avenue  
Stoop at 3919 Baltimore Street  
Addition at 3505 Dupont Street  
Excavation at 3846 Dupont Street



### More Leaf Pick Up Information...

If you choose to collect your leaves and place them in paper yard waste bags or containers- **do not place them in plastic bags-** the staff will collect them on Fridays as part of our regular brush collection pickup service.

Avoid raking leaves into the street. Placing leaves in streets or alleys can disrupt traffic water drainage and hamper snow removal operations.

Keep parked vehicles away from leaf piles. Leaves can pose a fire hazard to automobiles parked over them. Cars parked on or in front of leaf piles also block collection trucks' access to leaf piles.

**Include only leaves for vacuum leaf collection.** Tree debris, sticks, branches or coarse garden debris should be placed in containers or tied in bundles not more than 4' long and placed where household trash is regularly picked up.

### Kensington Kid's Corner

#### Pumpkin Time

Pumpkin time is here again,  
Time to play trick or treat.  
Pumpkin time is here again,  
Our spooky friends we'll meet.

See the costumes we have on,  
Monsters, ghosts, goblins too.  
See the costumes we have on,  
Hear us all shout "BOO!"

# Want K-Town License Plates?

The Town of Kensington is in the process of applying to the State's Motor Vehicle Administration for organizational license plates. The Town needs a minimum of 25 applicants before submitting the application. The cost is \$25 per applicant.

If you are interested in representing the Town with our very own vanity plates, please contact Matthew Hoffman, Assistant to the Town Manager, at [mjhoffman@tok.md.gov](mailto:mjhoffman@tok.md.gov).

What a great way to show pride in our beautiful and historic town!



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*To Our Kensington Neighbors*